

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA
EX REL. LESLIE JOHN HAMILTON,**

Plaintiff,

v.

Case No. 12-C-961

**CAROL L. KRAFT,
MEL S. JOHNSON,
JOHN KLUGIEWICZ, and
MICHAEL TUTEN,**

Defendants.

DECISION AND ORDER

Plaintiff Leslie John Hamilton (“Hamilton”) has filed a motion for reconsideration of this Court’s December 19, 2013, Decision and Order unsealing his purported *qui tam* action pursuant to 31 U.S.C. § 3729, *et seq.*, dismissing his motion to amend and clarify, and dismissing the action for lack of jurisdiction, because despite its nomenclature, it is a successive motion pursuant to 28 U.S.C. § 2255 that has not been authorized by the Court of Appeals. *See United States v. Boyd*, 591 F.3d 953, 955 (7th Cir. 2010); *United States v. Lloyd*, 398 F.3d 978, 979-80 (7th Cir. 2005); *Melton v. United States*, 359 F.3d 855, 857 (7th Cir. 2004). (ECF No. 12.) Hamilton argues that the facts of his case are distinguishable from those of *Boyd* and *Melton*.

Regardless of whether Hamilton's motion is considered under Rule 59(e) or Rule 60(b) of the Federal Rules of Civil Procedure, it does not present a basis for relief. Therefore, Hamilton's motion for reconsideration is denied.

NOW, THEREFORE, BASED ON THE FOREGOING, IT IS HEREBY ORDERED THAT:

Hamilton's motion for reconsideration (ECF No. 14) is **DENIED**; and

The Court also **DECLINES** to issue a certificate of appealability from this Order pursuant to Rule 11 of the Rules Governing Section 2255 Proceedings in the United States District Courts.

Dated at Milwaukee, Wisconsin this 9th day of January, 2013.

BY THE COURT



Hon. Rudolph T. Randa
U.S. District Judge